

CITY OF LYNN

**Regular City Council Meeting – February 9, 2016
Council President Daniel F. Cahill, Presiding**

**Eleven Councillors Present
Moment of Silence
Pledge of Allegiance**

**Motion made by Councillor Capano and seconded by Councilor Colucci to accept the Meeting Minutes of January 26, 2016.
Motion carried.**

PUBLIC HEARINGS:

Petition of Lechonera Bonao, Jose Luis Accosta, for permission for a Restaurant (Food Establishment) at 680 Western Avenue.

No one appeared in Favor.

No one appeared in Opposition.

Public Hearing Closed.

Motion made by Councilor Capano and seconded by Councilor Walsh to grant the prayer of the Petitioner with the stipulation of a 12:00 a.m. closing time and to follow all ISD regulations.

Motion carried by the following yea and nay vote:

11 YES 0 NO

Petition of Dollar Tree, NH Signs for permission for a sign permit at 102 Boston Street.

The following appeared in Favor:

Representative from NH Signs

Calvin Anderson, 12 Concord Street, Lynn

No one appeared in Opposition.

Public Hearing Closed

Motion made by Councilor Chakoutis and seconded by Councilor Trahan to grant the prayer of the Petitioner.

Motion carried by the following yea and nay vote:

11 YES 0 NO

Petition of National Grid, Rafael Panos, for permission to install approximately 7' +/- of 1-3" conduit from existing pole, P 1-2 Huss Court to the property of 150 South Common Street to provide electrical service to existing church.

The following appeared in Favor:

John Jankowski, National Grid

No one appeared in Opposition.

Public Hearing Closed.

Motion made by Councilor Capano and seconded by Councilor Trahan to grant the prayer of the Petitioner.

Motion carried by the following yea and nay vote:

11 YES 0 NO

Petition of National Grid, Rafael Panos, for permission to install approximately 565' +/- 2-5" concrete encased conduits from electric manhole MH6 at the intersection of Hanover Street and North Common Street to the property of 99 North Common Street.

The following appeared in Favor:

John Jankowski, National Grid

No one appeared in Opposition.

Public Hearing Closed.

Motion made by Councilor Chakoutis and seconded by Councilor Trahan to grant the prayer of the Petitioner.

Motion carried by the following yea and nay vote:

11 YES 0 NO

PUBLIC HEARINGS TO BE SET DOWN:

-Petition of Fiesta Shows, Eugene Dean, for permission for a Carnival Fundraiser for 4th of July Fireworks Fund at McManus Field, May 4-10, Wed-Tues Weekdays 6-11 p.m. and Sat & Sun 12-11p.m. (Set up May 3)

Motion made by Councilor Barton and seconded by Councilor Colucci to TABLE.

Motion carried by the following yea and nay vote:

11 YES 0 NO

-Petition of Fiesta Shows, Eugene Dean, for permission for a Carnival Fundraiser for 4th of July Fireworks Fund at Keaney Park, June 1 - 7, Wed-Tues Weekdays 6-11 p.m. and Sat & Sun 12-11p.m. (Set up May 31)

Motion made by Councilor Trahan and seconded by Councilor Colucci to TABLE.

Motion carried by the following yea and nay vote:

11 YES 0 NO

-Petition of Chestnut Street Realty Trust, Hashmat A. Rauf, for permission for a 2 story addition with 10 residential units above existing stores (residential use in a Business District)

Motion made by Councilor Lozzi and seconded by Councilor Colucci to set down for Public Hearing.

Motion carried.

COMMITTEE REPORTS:

Report of the February 9, 2016 Committee on Ordinance and Rules recommending the following to be accepted:

An Ordinance Regulating the Procurement of Electrical Supply Services in the City of Lynn – **Granted (Lays over to February 23, 2016).**

An Ordinance Amending the Terms of Employment of the Heads of All Departments of the City of Lynn – **Motion to send out to full Council (Lays over to February 23, 2016).**

Set Down for Public Hearings:

A Proposed Ordinance Amending the City of Lynn Zone Ordinance Regulating Multi-Family High Rise Buildings in the WF1, WF1A, WF2, WF3, WS and SH Districts - **Granted**

A Proposed Ordinance Amending the Human Rights Commission Ordinance. – **Granted**
REPORT ACCEPTED.

Report of the February 9, 2016 Committee on Ways and Means recommending the following to be accepted:

Ordered that the City Comptroller be and is hereby authorized to take the following actions:

Transfer the sum of One Thousand Two Hundred Dollars and Zero Cents (\$1,200.00) from the Treasurer Expense to the Treasurer Payroll.

Councilor Net attached the following Emergency Preamble:

WHEREAS, An Emergency relative to a financial transfer in the amount of One Thousand Two Hundred Dollars and Zero Cents (\$1,200.00) from the Treasurer Expense to the Treasurer Payroll.

THEREFORE BE IT VOTED BY THE LYNN CITY COUNCIL THAT THE FOREGOING CONSTITUTES AN EMERGENCY.

Emergency Preamble was adopted by the following yea and nay vote:

11 YES 0 NO

Emergency Order was then adopted by the following yea and nay vote:

11 YES 0 NO

Certify as an "Available Fund" the amount of Three Hundred Fifty Seven Thousand One Hundred Thirty Three Dollars and Ninety Cents (\$357,133.90) as allotted to the City of Lynn Police Department by the Executive Office of Public Safety and Security (EPS) for the FY16 Massachusetts Municipal Staffing Grant. Grant Period 1/20/16 – 12/31/16.

Councillor Net attached the following Emergency Preamble:

WHEREAS, A Special Emergency exists involving the peace, health and safety of the people or their property in the City of Lynn.

WHEREAS, An Emergency relative to a financial order certifying as an "Available Fund" the amount of Three Hundred Fifty Seven Thousand One Hundred Thirty Three Dollars and Ninety Cents (\$357,133.90) as allotted to the City of Lynn Police Department by the Executive Office of Public Safety and Security (EPS) for the FY16 Massachusetts Municipal Staffing Grant. Grant Period 1/20/16 – 12/31/16.

THEREFORE BE IT VOTED BY THE LYNN CITY COUNCIL THAT THE FOREGOING CONSTITUTES AN EMERGENCY.

Emergency Preamble was adopted by the following yea and nay vote:

11 YES 0 NO

Emergency Order was then adopted by the following yea and nay vote:

11 YES 0 NO

Certify as an "Available Fund" T111 English Language Acquisition Carryover FY15 Funds for the FY15/16 School Year in the amount of One Hundred Eighty Nine Thousand Two Hundred Seventy Four Dollars and Zero Cents (\$189,274.00) from the Department of Elementary and Secondary Education. Grant period 10/31/15 – 8/31/16.

Councillor Net attached the following Emergency Preamble:

WHEREAS, A Special Emergency exists involving the peace, health and safety of the people or their property in the City of Lynn.

WHEREAS, An Emergency relative to a financial order certifying as an "Available Fund" the amount of One Hundred Eighty Nine Thousand Two Hundred Seventy Four Dollars and Zero Cents (\$189,274.00) from the Department of Elementary and Secondary Education. Grant period 10/31/15 – 8/31/16.

THEREFORE BE IT VOTED BY THE LYNN CITY COUNCIL THAT THE FOREGOING CONSTITUTES AN EMERGENCY.

Emergency Preamble was adopted by the following yea and nay vote:

11 YES 0 NO

Emergency Order was then adopted by the following yea and nay vote:

11 YES 0 NO

Transfer the sum of Twenty Thousand Five Hundred Six Dollars and Thirty Three Cents (\$20,506.33) from the Insurance over 20K Expense Account to the LPD – Vehicles Expense Account.

Councilor Net attached the following Emergency Preamble:

WHEREAS, An Emergency relative to a financial transfer in the amount of

Twenty Thousand Five Hundred Six Dollars and Thirty Three Cents (\$20,506.33) from the Insurance over 20K Expense Account to the LPD – Vehicles Expense Account.

THEREFORE BE IT VOTED BY THE YNN CITY COUNCIL THAT THE FOREGOING CONSTITUTES AN EMERGENCY.

Emergency Preamble was adopted by the following yea and nay vote:

11 YES 0 NO

Emergency Order was then adopted by the following yea and nay vote:

11 YES 0 NO

Transfer the sum of FIFTEEN THOUSAND DOLLARS AND SIXTY FIVE CENTS (\$15,000.65) from the Account of LFD-Exp to the Account of LFD-PR.

Councilor Net attached the following Emergency Preamble:

WHEREAS, An Emergency relative to a financial transfer in the amount of FIFTEEN THOUSAND DOLLARS AND SIXTY FIVE CENTS (\$15,000.65) from the Account of LFD-Exp to the Account of LFD-PR.

THEREFORE BE IT VOTED BY THE LYNN CITY COUNCIL THAT THE FOREGOING CONSTITUTES AN EMERGENCY.

Emergency Preamble was adopted by the following yea and nay vote:

11 YES 0 NO

Emergency Order was then adopted by the following yea and nay vote:

11 YES 0 NO

Certify as an “Available Fund” the amount of Seven Hundred Thousand Dollars and Zero Cents (\$700,000.00) as allotted to the City of Lynn Police Department by the Executive Office of Health and Human Services to fund a grant initiative for the FY16-17 Save and Successful Youth Initiative Grant. Grant period 1/7/16 - 6/30/17.

Councillor Net attached the following Emergency Preamble:

WHEREAS, A Special Emergency exists involving the peace, health and safety of the people or their property in the City of Lynn.

WHEREAS, An Emergency relative to a financial order certifying as an “Available Fund” the amount of Seven Hundred Thousand Dollars and Zero Cents (\$700,000.00) as allotted to the City of Lynn Police Department by the Executive Office of Health and Human Services to fund a grant initiative for the FY16-17 Save and Successful Youth Initiative Grant. Grant period 1/7/16 - 6/30/17.

THEREFORE BE IT VOTED BY THE LYNN CITY COUNCIL THAT THE FOREGOING CONSTITUTES AN EMERGENCY.

Emergency Preamble was adopted by the following yea and nay vote:

11 YES 0 NO

Emergency Order was then adopted by the following yea and nay vote:

11 YES 0 NO

Ordered that the City Clerk be directed to cause notice to be advertised that meetings of the qualified voters of the City of Lynn will be held in the several polling places heretofore designated for the Presidential Primary on Tuesday, March 1, 2016.

Councillor Net attached the following Emergency Preamble:

WHEREAS, A Special Emergency exists involving the peace, health and safety of the people or their property in the City of Lynn.

Councilor Net attached the following Emergency Preamble:

WHEREAS, An Emergency relative to an Order that the City Clerk be directed to cause notice to be advertised that meetings of the qualified voters of the City of Lynn will be held in the several polling places heretofore designated for the Presidential Primary on Tuesday, March 1, 2016.

THEREFORE BE IT VOTED BY THE LYNN CITY COUNCIL THAT THE FOREGOING CONSTITUTES AN EMERGENCY.

Emergency Preamble was adopted by the following yea and nay vote:

11 YES 0 NO

Emergency Order was then adopted by the following yea and nay vote:

11 YES 0 NO

REPORT ACCEPTED.

Report of the February 9, 2016 Committee on Licensing recommending the following to be accepted:

TAXI OPERATORS (NEW)

Caban, Antonio, 22 Astor Terr. #2- **Granted w/30-60-90 Day Review**

Cruz, Robinson Rene, 59 Walnut St. Peabody, MA 01960 - **Granted**

Drago, Joseph, 59 Beach Rd., Revere, MA 02151- **DENIED**

Nazaire, Kelita, 12 Quincy Terr. #3- **Granted**

Rahman, Saidur, 49 Henry Ave. #3L- **Tabled- No Show 1/26/16 - DENIED**

LIVERY OPERATOR (NEW)

Deschene, Richard M., 4A Ober St., Beverly, MA 01915- **Granted**

Drago, Joseph, 59 Beach Rd., Revere, MA 02151- **DENIED**

Laurino, Matthew, 19 Hancock St. —**see CORI- Granted w/30-60-90 Day Review**

Pegoraro, Joseph, 210 Lincoln St., Revere, MA 02151-**Tabled-No Show 1/26/16- Granted**

Staples, Jennifer I., 20 Pinkham St. - **Granted**

Williams, Lori, 5 Blair Ct. - **Granted**

SECOND-HAND ARTICLE-RENEWAL

204 Essex St. Continental and Unicom Communication (police report) (letter sent in Spanish to attend meeting) – **Tabled (owner to follow-up with Police Department)**

810 Lynnway, D'Anna Furniture- **Granted**

800-810 Lynnway, Variedades Ada- **Granted**

441-443 Union St., Treasure To Consignment- **Granted**

REPORT ACCEPTED.

Report of the February 9, 2016 Committee on Public Property and Parks recommending the following to be accepted:

1. Request from YMCA regarding city-owned land located on Neptune Boulevard to build a new YMCA.- **Motion to request the Solicitor's Office to draft an RFP for the property located on Neptune Boulevard for consideration and review by the Public Property and Parks Committee. (Councilor Net passed the gavel to Councilor Trahan and abstained from discussion and vote).**

2. OTHER BUSINESS.

REPORT ACCEPTED.

Motion made by Councillor Colucci and seconded by Councillor Walsh to adjourn.

Notice of this meeting was posted in the City Clerk's Office at least forty-eight (48) hours in advance.

A True Copy Attest:

CITY CLERK